

# BEAVERTON POLICE DEPARTMENT

# GENERAL ORDER

NUMBER: 9.14.00  
SUBJECT: USE OF MINORS IN ALCOHOL AND TOBACCO  
DECOY OPERATIONS  
EFFECTIVE: AUGUST 1, 2002  
REVIEW: AUGUST 2003, 2004, 2005, 2006, 2007

1. PURPOSE. To establish standards, policies, and procedures in regard to the proper utilization of minors in alcohol and tobacco decoy operations. Alcohol decoy operations are to be in compliance with OAR 845-009-0200, which requires that a policy be in effect.

2. POLICY. It is the policy of the Beaverton Police Department to adhere to all Oregon Liquor Control Commission (OLCC) regulations regarding the use of minors in decoy operations. Minors that are used as decoys for tobacco decoy operations must be active Beaverton Police Department cadets. Minors that are used as decoys for alcohol decoy operations must be either active Beaverton Police Department cadets, or minors that are trained and actively utilized by the Oregon Liquor Control Commission for OLCC alcohol decoy operations.

A. Minors used in alcohol decoy operations must be under 21 years of age; minors used in tobacco decoy operations must be under 18 years of age.

B. Minors posing as decoys may not use false identification.

C. Minors used in such operations must look under the age of 26.

D. Minors posing as decoys may not lie about their age.

3. GENERAL GUIDELINES FOR DECOY OPERATIONS. The below listed guidelines shall be followed as they relate to alcohol and tobacco decoy operations.

A. Prior to each mission, the lead officer will notify the duty supervisor of the decoy operation.

B. All decoys must possess a current Oregon driver's license and, for tobacco decoy operations, a Beaverton Police Cadet identification card.

- C. The lead officer will take a photograph of each decoy prior to the operation, and will take a photocopy of each decoy's Oregon driver's license. The photographs and photocopies will be retained as evidence.
  - D. Minors posing as decoys shall not wear any clothing that would affiliate them with any law enforcement agency, or any clothing with an official insignia that would create the appearance that they have any type of public authority.
  - E. Decoys will use funds that have been approved for the mission, and will obtain receipts for alcohol or tobacco purchased.
  - F. Decoys shall not encourage, lie, or attempt to convince anyone to sell them alcohol or tobacco during any part of the alcohol or tobacco decoy operation. If the decoy is asked his or her age, the decoy will respond by stating his or her actual age.
  - G. Alcohol or tobacco purchased during any decoy operation shall be given to the lead officer immediately after it is purchased and will be retained as evidence for the case. In situations where alcohol is dispensed into a glass, a photograph of the beverage should be taken.
  - H. Minors serving as decoys may not, at any time, consume an alcoholic beverage that is purchased during an alcohol or tobacco decoy operation. The same holds true for any tobacco products that are purchased.
  - I. In situations where the decoy is to go into a bar or restaurant, an officer must accompany the decoy or be in a position as to be able to observe the decoy directly. In stores or other types of walk-in businesses, it will be the discretion of the lead officer whether or not to accompany the decoy.
  - J. In situations where alcohol or tobacco is *not* sold to a minor decoy, the lead officer should provide positive reinforcement to the agent and/or licensee by making an attempt to encourage the ongoing proper inspection of identifications and, whenever possible, provide information on how to prevent minors from obtaining alcohol or tobacco.
  - K. Whenever minors, serving as decoys, are provided with an alcoholic beverage or a tobacco product, the lead officer will take appropriate action. In alcohol operations, all copies of reports should be forwarded to the Oregon Liquor Control Commission.
4. **RANDOMNESS REQUIRED.** In order for alcohol decoy operations to be in compliance with OAR 845-009-0200, such operations shall be conducted using a random method. The selection of agent(s) or licensee(s) to be visited will be done using simple random sampling, which ensures to the greatest extent possible that each licensee or agent in the city of Beaverton has an equal chance of being selected. The simple random

sampling may be performed using a variety of generally accepted simple random sampling tools, such as a random number table, a random number generator, or other method. All tobacco decoy operations will follow the above stated random procedures.

5. TARGETED ENFORCEMENT. Targeted alcohol and tobacco decoy operations may be conducted for a single licensee or agent, but may be used only if there is a compliance problem with the specific licensee or agent that is the target of the operation. Businesses that have previously sold alcohol or tobacco products to minors within the calendar year may be subject to repeated visits to ensure compliance.

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Chief of Police

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Date